GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Water Resources Department - Disciplinary action under rule 20 of APCS (CC&A) Rules, 1991 against Sri V. Satyanarayana, Superintending Engineer (Retd) & (3) others for their irregularity in considering the promotion of Smt. B.Gomathi Lakshmi, Sr.Asst. as Superintendent, by violation of rule of reservation - Finalization of disciplinary action - Further action dropped against retired officers and warning to Sri G.Venugopal Rao, Sr.Asst., - Orders issued.

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WATER RESOURCES (VIG.III.2) DEPARTMENT

G.O.RT.No. 6 Dated: 02.01.2016

Read the following:-

1. From the SE, IC, Bobbili, Letter No.273ENC/AB/EC-II, dt:04.10.2010.
2. G.O.Rt.No.543, I & CAD (Ser.X.2) Dept. dt.04.06.2011.
3. G.O.Rt.No.544, I & CAD (Ser.X.2) Dept. dt.04.06.2011.
4. G.O.Rt.No.545, I & CAD (Ser.X.2) Dept. dt.04.06.2011.
5. G.O.Rt.No.546, I & CAD (Ser.X.2) Dept. dt.04.06.2011.
6. G.O.Rt.No.547, I & CAD (Ser.X.2) Dept. dt.04.06.2011.
7. G.O.Rt.No.548, I & CAD (Ser.X.2) Dept. dt.04.06.2011.
8. G.O.Rt.No.549, I & CAD (Ser.X.2) Dept. dt.04.06.2011.
9. From Sri G.Venugopala Rao, Sr.Asst., O/o SE, IC, Bobbili.
10. From Sri K.Surya Rao, Supdt., (Retd.), Lr. Dt:11.08.11.
11. From Sri D.Ram Mohan Rao, EE (Retd), Lr., dt:17.08.2011 and Lr. dt:13.09.2011.
12. From Sri V.Satyanarayana, SE (Retd) Lr. dt:12.10.2011.
13. G.O.Rt.No.1288 , I & CAD (Ser.X.2) Dept. dt. 26.12.2011.
14. Govt. Memo.No.10682/Ser.X.2/2011-3, dt:26.12.2011.
15. Govt. Memo.No.10682/Ser.X.2/2011-5, dt:26.09.2012.
16. From the ENC (ISPP), Dowlaiswaram, Lr.No.Rc/ENC/ISPP/ Sn.C /C1/197 (CE/NC)/2014, dt:12.04.2014.
17. Govt. Memo.No.10682/Ser.X.2/2011-9, dt:06.05.2014.
18. From Sri V.Satyanarayana, SE (Retd), Lr., dt:11.11.14.
19. From Sri D.Rammohan Rao, EE (Retd), Lr., dt:31.08.14.
20. From Sri K.Surya Rao, Supdt., (Retd), Lr., dt:12.08.2014.
21. From Sri G. Venugopala Rao, Sr. Asst., O/o SE, IC, Srikakulam, Lr., dt:11.08.2014.

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ORDER:

It was brought to the notice of the Government that Smt. B.Gomathi Lakshmi, Sr.Asst., was erroneously promoted to the post of Superintendent, under Rule of Reservations, which caused hardship to another eligible candidate, in the office of SE, IC, Bobbili.

2. The SE, IC, Bobbili in his letter 1st read above, addressed to the ENC (AW), has stated that the irregularity committed through oversight could be noticed, when, some of the Senior Assistants working in the divisions of the circle represented the facts to the Department and through Service Associations. On receipt of such representations,

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a review was undertaken into the promotions taken up in the cadre of Superintendent from 14.02.2006 i.e., panel year 2005-06 to 2008-09. When this irregularity is noticed, a show cause notice was issued to Smt. B.Gomathi Lakshmi, Superintendent vide confidential Memo. Dt:17.07.2010, to show cause as to why she should not be reverted back to the post of Senior Assistant by giving her time for 10 days from the date of receipt of such notice for filing her written statement of objection, if any. But, the Superintendent without submitting her explanation has approached the Hon'ble APAT, Hyderabad directly by filing O.A.No.5025/2010 and M.A.No.142/2010 seeking justice.

3. The Hon'ble Tribunal, while disposing the O.A.No.5025/2010 and MA.No.142/2010 in the orders dt:25.08.2010, set aside the show cause notice on the ground of want of jurisdiction and directed the respondents to follow the rules and take appropriate action. Meanwhile, the eligible candidate Sri D.Thaviti Naidu, Sr. Asst. of Irrigation Circle, Bobilli filed W.P.No.25207/2010 in the Hon'ble High Court of A.P. against the orders of APAT, dt:25.08.2008 in O.A.No.5025/2010 with a prayer for direction for promotion to him as Superintendent. The Hon'ble High Court of AP in its orders dt:27.10.2010 in WP MP 32212/2010 in WP No.25207/2010 has suspended the orders of APAT and granted relief as prayed for. Accordingly, Smt. B.Gomathi Lakhmi, Supdt., has been reverted to the post of Sr.Asst. and the eligible candidate has been promoted to the post of Superintendent.

4. The SE, IC, Bobbili has identified the following persons are responsible for the irregular promotion of Smt. B.Gomathi Lakhsmi as Superintendent:

i) Sri V.Satyanarayana, SE (Retd)
ii) Sri D.Rama Mohan Rao, Dy.S.E. (Retd)
iii) Sri K.Surya Rao, Supdt. (Retd)
iv) Sri G.Venugopala Rao, Sr. Asst.

Accordingly, in the references 2nd to 8th read above, Articles of Charges were issued to the above officers.

5. The charged Officers have submitted their written statements of defense in the references 9th to 12th read above. After examining the issue, the ENC, ISPP, Dowlaiswaram has been appointed as Inquiry Authority in G.O. 13th read above and Sri N.Jagan Mohana Rao, SE, IC and CE (FAC), North Coast, Visakhapatnam as P.O. in Govt. Memo.14th read above. Subsequently, Sri P.Gopala Krishna Reddy, CE, GDS and I/c CE, North Coast, Visakhapatnam has been appointed as P.O. in place of Sri N.Jagan Mohana Rao, SE, IC in Govt. Memo.15th read above.

6. In the reference 16th read above, the ENC, ISPP, Dowlaiswaram and the Inquiry Officer has submitted inquiry report stating that the charge against the charged officers (1) Sri V.Satyanarayana, SE (Retd) (2) Sri D.Rama Mohan Rao, Dy.S.E. (Retd), (3) Sri K.Surya Rao, Spdt. (Retd) and (4) Sri G.Venugopala Rao, Sr. Asst. is sustainable.

7. In the reference 17th read above, a copy of the inquiry report has been communicated to all the four (4) charged officers calling for their explanations. The charged officers have submitted their explanations in

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the references 18th to 21st read above. From their explanations, it is observed that all the charged officers have confessed the error on the ground that they are not fully aware of rule position regarding implementation of Rule of Reservation in respect of SCs and STs but not willful.

8. After careful examination of the entire issue, it has been decided to warn all the four charged officers to follow rule of reservations. However, Sri V.Satyanarayana, SE (Retd), Sri D.Ram Mohan Rao, EE (Retd) and Sri K.Surya Rao, Supdt (Retd) already retired from service, issuing warning to them is not possible, except Sri G.Venugopal Rao, Senior Assistant.

9. Accordingly, Government hereby drop further action against Sri V.Satyanarayana, SE (Retd), Sri D.Ram Mohan Rao, EE (Retd) and Sri K.Surya Rao, Supdt (Retd) and warn Sri G.Venugopala Rao, Senior Assistant to be more careful in future.

10. The Engineer-in-Chief (AW), Water Resources Department, Hyderabad, shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNER OF ANDHRA PRADESH)

ADITYANATH DAS
PRINCIPAL SECRETARY TO GOVERNMENT

To
The individuals *through* the ENC (AW), Water Resources Department, A.P., Hyderabad.
The Engineer-in-Chief (AW), Water Resources Department, A.P., Hyderabad.
The Water Resources (Ser.I / Ser.II) Department.
Copy to :
The Accountant General, Andhra Pradesh, Hyderabad.
SC/SF

//FORWARDED::BY ORDER//

SECTION OFFICER